

# HAMILTON COUNTY BOARD OF AVIATION COMMISSIONERS

## MAY 5, 2005

The Hamilton County Board of Aviation Commissioners met on Thursday, May 5, 2005 in the Commissioner's Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana.

The Aviation Commissioners met in a work session in Conference Room 1A at 5:30 p.m.

### Design Standards

Don Silvey asked Larry Creakbaum how much spacing is needed between hangers to meet code? Creakbaum stated you have to have 30' between buildings before you have to eliminate the firewall. Minimum is 15' on each side of the building. Silvey asked if there are parking requirements for a business? Creakbaum stated he does not think there is a parking ordinance requiring a certain size. We only have to provide a stabilized surface. There will have to be employee parking and customer parking.

### Capital Spending

- Repair of runway cracks. Cost estimated at \$25,000. Priority – high
- Directional signage for airport. Locate on approaching roads. Possible county funding. Priority - low
- Security cameras. Cost estimated at \$15,000. Will put in 2006 operating budget. Request funding from county. Priority - high
- Rule 6 – Stormwater. It is mandated, not eligible for funding from AIP. Estimated cost of \$10,000. Need to build into the budget for next year. Need containment area big enough to hold within 110% of largest fuel vehicle. – Operations budget. Priority – high
- RCO – is funded. Take off list.
- Rotating Beacon – put in operating budget as maintenance item. Priority – low
- Localizer upgrade - requires regular maintenance. Priority – low to medium. Use FAA funds.
- AWOS Computer – basic PC needed
- Fencing – higher priority for Homeland Security and TSA for all general aviation airports. Mandatory security will become a county issue. Fencing is in CIP. Someday fencing costs will be included in CIP funding. Possibly use left over money from other AIP projects.
- Localizer upgrade – FAA funding Priority – high
- Legal representation for zoning, legislation, etc. – BOAC budget
- Trees on north end of the approach are getting too tall. The trees are on the north side of SR 32. It is part of the CIP under obstruction removal. The land and trees would have to be purchased. Mid-States will check PAPI angle and re-compute obstruction analysis. Priority – low.
- Underground wiring. All underground wiring for the runway lights have been re-worked in the last 2 years. Wiring is an ongoing maintenance item, it all needs replaced with a complete replacement completed in 5 years. Can include in other projects.

### Improvements

1. Airport authority creation legislation - \$10,000. Airport Authority will not happen, waste of time. BOAC expense, not capital expense.
2. Aviation easements – FAA or county project.
3. Budget for county matching funds - \$40,000 for current capital projects. BOAC budget. Money will need to be appropriated from county council.
4. Economic development zone development project – county project
5. Engineering design fees for major projects not yet funded. – is a timing issue. Engineering fees are included in projects.
6. Grant Administration – included in projects.

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7. Legal representation regarding zoning, noise, lobbying – county expense
8. Major site development partner, contract development – BOAC budget
9. Permit filings – BOAC budget
10. Site development advisors, commissions, retainer fees – BOAC budget
11. State legislation changes – airport board changes – don't need
12. Survey expenses for development – BOAC budget

Will continue during next work session on June 2, 2005.

Work session adjourned. [6:30 p.m.]

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President Kapostasy called the public session to order at 6:33 p.m. Secretary Kim Rauch took Roll Call and declared a quorum present.

**Approval of Minutes [6:33:58]**

Tim Tolson motioned to amend the minutes of April 6, 2005 to state "Hamilton County Visitor and Convention Commission", not Hamilton County Convention and Visitor's Bureau. Jon Ogle seconded. Motion carried unanimously.

**President's Report**

Chance Aviation

Kapostasy stated Chance Aviation contacted the aviation board and asked us to reconsider their building a hanger/aviation parts center at Indianapolis Executive Airport. Kapostasy spoke with Steve Niblick, Boone County Planning, whom believes the current zoning would allow them to build the hanger and business. Dan Montgomery stated he spoke with Chance Aviation and he had given up on us, but he is reconsidering.

Airport Name

Kapostasy has drafted a letter to the Hamilton County Commissioners regarding their request to explore a name change for the airport. That letter will go to the commissioners next month.

2006 Budget

Kapostasy stated he has prepared a first draft of the 2006 Budget and will forward to the Board for their review. He has added several line items, as suggested by the council liaison.

Westfield Planning

Kapostasy continues to talk with the Westfield Planning group.

Lester Wyles Letter

Kapostasy received a letter from Lester Wyles thanking the aviation board and everyone involved with IEA for the good job everyone is doing.

Economic Impact Study

Kapostasy stated in terms of economic impact IEA was the 13<sup>th</sup> largest airport in Indiana in 2003, and appears IEA will be the 10<sup>th</sup> largest in 2004. The study is only published every two years.

Carl Winkler has been working with the local media regarding publicity of the economic impact of the airport.

Mount Comfort Airport

An article appeared in the newspaper regarding the economic impact of the Mount Comfort Airport. The President of the company has developed a business park near the Mount Comfort Airport and in the last year has sold three different distribution buildings in the 1 million square foot size. There is light industrial and office space.

Adjoining Land and Air Rights

Kapostasy stated his ongoing concern is acquiring air rights or land on the north and south end of the airport. At some point we will have to have some advice on how to protect these areas and research land development trusts, use of DNR money, federal funds, etc. If anyone has any ideas how to proceed he will be glad to work with them. The progress of development goes on and the cost of land continues to go up.

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**Committee Reports [6:41:46]**

Capital Improvements Committee

Tolson stated he, Matt Evans and Dan Montgomery attended the Hamilton County Convention and Visitor's Commission meeting. Tim requested including the airport in their destination brochures as the aviation gateway to Hamilton County, to be receptive in allowing Matt Evans to serve as liaison and attend bureau and board meetings and to help us marketing the airport. Tolson has been informed that all three requests were accepted. They would like us to work up a marketing proposal, get two bids and then submit it to the commission. Tolson suggested marketing as a workshop topic. A two person committee of Tolson and Kapostasy will meet and bring their recommendations back to the board.

**Site Development Committee [6:47:09]**

Construction Standards

Silvey stated he has been working with Dan and Carl on the construction standards. When an approval is needed it can be approved by the airport manager and/or the aviation board. Final plans will be submitted with each lease. The standards also require that all the permits are filed. Mike Howard suggested deleting the "or", the board owns the real estate that these buildings are attached to. To expedite things he suggested the board's construction delegate get the plans immediately and he can make recommendations for approval at the next board meeting. Kapostasy stated he believes the intent was that after we have a lease approved and we are in the midst of construction and modifications need to be made, who is going to authorize the changes? Silvey stated he was thinking some change not during construction but after completion of construction. Silvey stated he does not have a problem taking the "or" out. Kapostasy stated each place that states Airport Manager and/or the Hamilton County Aviation Board shall say Airport Manager and the Hamilton County Aviation Board Representative. Silvey motioned to adopt the construction standards as amended and incorporate these standards into existing and future contracts. Ogle seconded. Motion carried unanimously (4-0).

Runway Cracks

Silvey stated we are going to have to look at sealing the cracks in the runway before the end of the year.

**Indianapolis Executive Airport Report [6:53:35]**

Airport Inspection

Dan Montgomery stated the airport was inspected and have received a new certificate.

Bailey

The waterline on the back side of the airport has sprung a leak. The water company has been called. Mr. Bailey would like to know when the ground swap will be done. Mr. Bailey has stated he will not sign anything without a clean title. Mr. Bailey would like to know if he should farm the land that will be cleared for the glideslope? Creakbaum stated he could put in beans.

Cinergy

Cinergy has not taken the line down. Howard will contact Cinergy.

Media Interviews

Channel 13 wants to do an interview on the new construction projects. The Indianapolis Business Journal also wants to do an article on the airport. Dan will not do an interview until he has the permit in hand.

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AAI Conference

Montgomery's attended the AAI Conference in Frankfort. Morton Marcus was the speaker and used IEA as an example for lack of signage for the airport. That is a big problem that people do not know where the airports are. Marcus also asked if we had representation on a economic development board, which we do. Marcus suggested it would be a good idea to have one of the board members of an economic development board.

Corporate Tenants

Montgomery stated Robkey still wants to build a hanger at IEA. He has not received any other inquiries. We need the infrastructure built first. Robkey would like to get a corporate jet; whatever they do at our airport will be airplanes. Everything he has would be under 12,500 pounds. Robkey is hoping to get in before the corporate hangers are constructed and is hoping he can "T" off one of the Tee Hanger taxiways. Kapostasy asked Montgomery's to work with Mid-States Engineering on a site plan with the proposed locations of new hangers.

First Quarter Report

Andrea Montgomery presented the First Quarter report for 2005. Fuel is 33% of the projected income for the year. Land leases are on tract. T-Hanger rents are at 39% with the loss of Building C. Ramp fees are at 26% of projected. All expenses are in line except for utilities, which we have spent 56% of this year's budget. She is working on the 2006 operating adding more line items to give a more accurate picture on maintenance items.

Fuel Report

Fuel deliveries for the First Quarter totaled 156,525 gallons, last year's during the same period were 110,319. Increase is 42%. Total flow fee paid for the period is \$29,667.74.

Insurance

Montgomery is waiting on an update on insurance quotes. Silvey will contact Bob Fearrin.

SATS Program

Montgomery asked if the Board is interested in hearing a report on the SATS program? Kapostasy stated it is not an immediate priority.

Web Site

Montgomery stated IndianapolisExecutive.com is still owned by Mr. Higgins. She can not start anything on that web site until she has the rights. We do own IndianapolisExecutive.net and .org.

Boone County Economic Development Corporation

Montgomery, A. is on the Board of the Boone County Chamber of Commerce and works closely with the Boone County Economic Development Corporation. This is something we need to do with Hamilton County.

Developing commercial use around the airport is an ideal situation, but we will need zoning or an overlay. It will have to come from Boone and Hamilton counties.

**Mid-States Engineering Report [7:08:39]**

Airport Improvement Funds

Larry Creakbaum stated they have been advised by the FAA that we have \$1 million of AIP funds to spend. Creakbaum requested approval of a contract with Mid-States Engineering. The contract consists of grading and site development for the glideslope relocation; runway safety area regarding on the east side of 1836; acquisition of parcel #5 of the Beal property; design engineering for the parallel taxiway. Creakbaum stated it takes a very exacting survey for approaches, the National Coast and Geodetic did all of these surveys, but they are too busy to do the surveys anymore. It is up to each airport to do their own surveys. It will cost approximately

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\$45,000 per survey. He is working on combing the surveying with another airport's surveying. Creakbaum is working on getting the costs down and will bring them to the next meeting. The contract will be amended to include the survey. When the plans are designed we will not re-paint the runway or move the glideslope. We will get everything ready for that. Once the survey is turned in it takes 18 months to publish the approach procedure before it can be used. If we take the glideslope down the airport would be out of business for 18 months, we don't want that. The glideslope will stay where it is, the grading will be done, survey will be done so when we are ready to move the glideslope we can do it. The grant has to be signed before September 1<sup>st</sup> which means we have less than 2 months to complete the design. The contract will be paid from grant funds. The estimated contract amount is \$90,000. Howard confirmed the county will get a minimum of \$150,000 allocation funds. Mid-States knows it is subject to funding, the Board should include in their motion that this is first dollar funding from any FAA monies received by the Board next year. Creakbaum stated since the glideslope will be relocated, a full environmental study will need to be done. The scope has been approved, a contract has not been signed. Silvey asked if there is any money left from the FAA funds, can we use that money for land acquisition of the property on the north end of SR 32? Creakbaum stated it can, but you will need a clear deed to the land. Tolson motioned to approve Mid-States Engineering contract on the design work on the five projects discussed previously, subject to funding from the FAA and first dollars from the FAA funding would be to pay for this contract. Ogle seconded. Motion carried unanimously (4-0).

Disadvantaged Business Enterprise (DBE) Program

Luke Reynolds stated whenever the Board receives over \$250,000 in federal funding a requirement is to have a Disadvantaged Business Enterprise (DBE) program. Dan Montgomery will be the DBE Liaison and a public notice will have to be published. Ogle motioned to approve the proposal. Silvey seconded. Motion carried unanimously (4-0).

Invoice

Creakbaum requested approval of an invoice from Mid-States Engineering in the amount of \$12,500 for design of the corporate hanger apron and T-hanger taxiways. The project will be bid in June and awarded in July. Ogle motioned to approve. Tolson seconded. Motion carried unanimously (4-0).

Brad Beaver asked Mid-States if there will be any other time sensitive issues that will need to be voted upon that does not meet a regular meeting schedule? Creakbaum stated not at this point.

County Council Meeting Update

Howard stated the Hamilton County Council did approve the additional appropriation request.

RCO

Mid-States Engineering will begin work on the purchase of the RCO. It will be a specification for purchase that will be competitive.

**New Business [7:23:07]**

Abbitt Farms Elementary School

Kapostasy stated the former owner of the airport remains concerned about the pending approval by the Zionsville Community Schools to build a elementary school in the Abbitt Farms subdivision. Mr. VanSickle has asked if this Board will reconsider making a formal public statement if we agree with building the school, no comment, disagree or have no public statement. Ogle stated if we don't have to get in to an issue, it is better to stay quiet. If it is imperative to take a position, we should. There are laws that govern airports and surrounding areas and we don't have to do anything. Silvey asked Creakbaum if the school is built, will it have any impact on the operation of the airport in the future? Creakbaum stated when we hold public hearings on building airports we get complaints that the airport should not be built because

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there is a school 17 miles in the country someplace. It will be a continuing thorn in our side every time something is built next to an airport. As far as an operational problem, not unless a public agency defies the federal government and tries to set up restrictions on airport use. Silvey asked by geographical location, will it be a problem for us legally? Creakbaum stated no, he thinks building the school is a terrible idea. Tolson stated going back to the history of this issue, the architect Fanning-Howey approached Mid-States Engineering and our legal counsel gave them permission to reply. The second draft of the letter was very explicit to Superintendent Howe, which was a very appropriate response on the Board's behalf. Howard stated we may not think it is a good idea and we may say we don't think it is a good idea. It is the noise sensitive area, defined by statute. When we start to try to prohibit land uses, that is a taking. At this time we may want to include in the budget appraisals and land purchases to clear the zone. Saying it is a bad idea is all we can do. Tolson stated it is a bad idea, but we are not going to change the Superintendent's and resident's minds. It is not our battle. Beaver stated the Hamilton County Council expects the Aviation Board to handle it and protect the county's investment. Beaver will relay to the council that a letter was sent letting the superintendent know it will be in a noise sensitive area. Howard asked Creakbaum to get a copy of the letter to the Board. Andrea Montgomery stated a school was put up at the end of a runway at Metro Airport, Metro may be closing. One of the projects discussed was building a 7,000' runway, which will put the school 1,500' closer. Part of the zoning approval was that we would go back to Boone County before the runway is built. If the school is built, she is not sure how that decision will come out. There are several other locations that are suitable for a school in Union Township. That land was purchased at a very high cost and donated to the school. From Montgomery Aviation's standpoint, it is not a good idea to build a school at that location. Mr. VanSickle's letters are starting to create an impact. Kapostasy stated he thinks the board has an obligation to be more aggressive on this. He agrees with the counsel's advice that it is not our job to say yes or no, good idea or bad idea. From providing opponents of the elementary school with something they can use, we could craft a letter stating that we would ask you to reconsider this decision. We do not believe this is the best and highest use of that land for the citizens of Boone County. This would be his recommendation to be on record as a board that we are not in favor of this. We are at a point that we need to make some statement. Tolson motioned that, based on Councilor Beaver's recommendation, we need to protect the airport that we move forward with Kapostasy's proposal. Ogle seconded providing a change in the motion that the Board's counsel review the letter before it is sent out with the authority to change it or bring it back to the board for further discussion. Kapostasy stated we have an obligation to the owners of the airport, obligation to other stakeholders in the airport and an obligation to the citizens of Boone County to be forward and say from our point of view this does not seem to be the best use of that land and we urge them to give very careful consideration to something that will have a 40-50 year impact. Silvey asked which would better, to send them a letter officially from this board or transmit a copy of the Mid-States letter that went to Fanning-Howey? Howard stated as long as the letter is in terms that the President outlined, it will not rise to a regulatory taking or compensatory action. Howard does not see a problem with the board sending the letter. Dan Montgomery stated he sits on the advisory board of Union Township, they already have a school on SR 32 that they are looking at closing with the new school replacing it. They have plenty of property at the current location to fix that school. He will bring that suggestion up at the next Trustee meeting. Motion carried unanimously (4-0).

**Legal Counsel Report [7:40:20]**

Lobbyist

Howard stated he received a call from Jan Powell, Hamilton County's Lobbyist in D.C. The parallel taxiway has met the next level of earmarks in the amount of \$1.5 million. Howard had to explain how important the taxiway is in four lines. Howard thanked Carl Winkler for his help on the statement.

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Bailey Appraisal

Howard stated he received a letter from the Bailey appraisal stating that it is of equal value. He will send it to Gary Regan within the next couple of days. We look forward to closing the transaction with the Bailey's before the next meeting.

Cinergy

Howard stated he delivered the check to Cinergy about two weeks ago and he will be contacting Cinergy to see why the work has not been completed.

Beal Property Appraisal

Howard stated the appraisal for the Beal property is being worked on.

Approval of Claims

Howard stated we will start receiving claims for the construction projects. Howard suggested naming one of the board members to approve claims to be paid out of the local project funds. Tolson motioned to approve Jon Ogle to authorize and sign claims for payment. Silvey seconded. Motion carried unanimously (4-0).

**Next Meeting** – June 2, 2005

Work Session at 5:30 p.m.

Public Meeting at 6:30 p.m.

July Meeting will be held on July 14, 2005.

Ogle motioned to adjourn. Tolson seconded. Motion carried unanimously.

**Present**

Tom Kapostasy  
Jon Ogle  
Don Silvey  
Tim Tolson  
Mike Howard  
Darren Murphy  
Brad Beaver  
Rick McKinney  
Dan Montgomery  
Andrea Montgomery  
Carl Winkler  
Larry Creakbaum  
Luke Reynolds  
Kim Rauch

APPROVED

ATTEST

\_\_\_\_\_  
Tom Kapostasy, President

\_\_\_\_\_  
Kim Rauch, Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_